

**UNITED STATES BANKRUPTCY COURT**  
**MIDDLE DISTRICT OF FLORIDA**  
*Tampa Division*  
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IN RE:

Chapter 11

TIME DEFINITE SERVICES, INC.,

Case No.: 8:19-bk-06564-MGW

Debtor.

*Jointly Administered with:*

TIME DEFINITE LEASING, LLC,

Case No.: 8:19-bk-06565-MGW

Debtor.

**TIME DEFINITE SERVICES, INC.,**

**Case No.: 8:19-bk-06564-MGW**

Applicable Debtor.

**MOTION TO OBTAIN POST PETITION  
CREDIT PURSUANT TO 11 U.S.C. SECTION 364(b)**  
(CitiBusiness Card)

**COMES NOW**, Time Definite Services, Inc. (the “Debtor”), by and through its undersigned attorney, hereby files this, its *Motion to Obtain Post Petition Credit Pursuant to 11 U.S.C. §364(b)*. In support of thereof, Debtor states as fallows:

## Jurisdiction

1. This court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2).
2. Venue is proper pursuant to 28 U.S.C. §§1408 and 1409.
3. The statutory bases for the relief requested herein are Sections 105(a), 363(b), 364(b), of Title 11 of the United States Code (the “Bankruptcy Code”).

## Background

4. On July 12, 2019 (the “Petition Date”) the Debtor filed a voluntary petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Middle District of Florida. The Debtor continues to operate its business and manage its property as a debtor-in-

possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.

5. A creditors' committee has not been appointed in this case. No trustee or examiner has been appointed.

6. The Debtor and its affiliates are a leading provider of refrigerated trucking and individualized logistics throughout the United States and Canada.

7. The Debtor operates approximately one hundred and thirty (130) vehicles ("the Fleet") in its ordinary course of business. Prior to the commencement of this case, the Debtor utilized a CitiBusiness Card (the "Citi Card") to pay for tolls, taxes, and other miscellaneous expenses for the Fleet. Without the Citi Card, the Debtor would have no easy, feasible method to pay for these expenses. The Citi Card has a maximum balance of \$100,000.00.

#### **Relief Requested**

8. By this Motion, the Debtor seeks entry of an order authorizing the Debtor to (1) enter into a post-petition financing agreement with Citi, and (2) continue using the Citi Card.

9. The Debtor was current on its obligations to Citi on the date the voluntary petition was filed.<sup>1</sup>

11. The Debtor will pay off the full balance of the Citi Card each month and attach copies of any statements from Citi to its monthly operating reports.

**WHEREFORE**, Time Definite Services, Inc. respectfully requests this Honorable Court enter order: (1) granting the instant motion; (2) authorizing the Debtor to use the Citi Card post-petition; and (3) for such other and further relief as this Court shall deem just and proper.

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<sup>1</sup>On July 12, 2019, the Debtor had an approximate balance of \$13,492.87, of which \$8,083.79 was due on August 3, 2019. The remaining balance was not due until September 3, 2019.

**RESPECTFULLY SUBMITTED**, on this 11<sup>th</sup> day of September, 2019.

BUDDY D. FORD, P.A.,

/s/ Jonathan A. Semach  
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Attorney for Debtor

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 11<sup>th</sup> day of September, 2019, a true and correct copy of the foregoing was sent by ■ CM/ECF Electronic Mail to:

Denise E Barnett on behalf of U.S. Trustee United States Trustee - TPA  
*denise.barnett@usdoj.gov*

Noel R Boeke on behalf of Creditor Webster Capital Finance, Inc.  
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Katie Brinson Hinton on behalf of Creditor Signature Financial, LLC  
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John B Hutton on behalf of Creditor VFS Leasing Co.(TDM), Creditor Volvo Financial Services (CM), & Creditor Volvo Financial Services, a division of VFS US LLC  
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United States Trustee - TPA USTPRegion21.TP.ECF@USDOJ.GOV

VFS Leasing Co.(TDM) tara.maxey@vfsc.com

Volvo Financial Services (CM) Clay.monroe@vfsc.com

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Eric B Zwiebel on behalf of Creditor Sumitomo Mitsui Finance and Leasing Co., Ltd.  
eric.zwiebel@emzwlaw.com, eservice@emzwlaw.com

and, by ■ U.S. Regular First Class Mail on to:

Time Definite Services, Inc. and Time Definite Leasing, LLC, 794 Lake Brim Dr.,  
Winter Haven, FL 34787

CitiBusiness Card, PO Box 9001037, Louisville, KY 40290-1037

Twenty (20) Largest Unsecured Creditors

/s/ Jonathan A. Semach  
Jonathan A. Semach, Esquire (FBN: 0060071)  
Email: *Jonathan@tampaesq.com*